

\$~34

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

TR.P.(CRL.) 45/2018 & CrI. M.A. No.28424/2018

SATINDER SINGH BHASIN & ANR.

.....Petitioners

Through: Mr. Tanvir A. Mir, Mr. Gurpreet Singh and
Mr. Jatin S. Sethi, Advocates with Mr. Rishi
Sehdev, Authorized Representative.

Versus

STATE & ANR.

.....Respondents

Through: Mr. Amit Chadha, Additional Public
Prosecutor for State.
Mr. Prashant Diwan and Mr. Brajesh
Dwivedi, Advocates for Respondents No. 2
to 5.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

%

27.07.2018

After some arguments, the learned counsel for the parties state that both the parties are interested in expeditious disposal of the two cases initiated at the instance of either party, and pending before the two different Trial Courts. The transfer petition moved by the accused persons was dismissed by the learned Trial Court by order dated 01.03.2018, wherein it was noted that the accused persons were themselves not appearing collectively, that on 31.05.2018, a notice under section 251 Cr.P.C. had been issued against them for appearance on 27.07.2018. But they did not appear. The conduct of the petitioners shows their reluctance to appear before the Court of the learned Metropolitan Magistrate.

Mr. Mir, the learned counsel for the petitioners submits that Mr. J. S. Bhasin i.e. father of petitioner No. 1 is afflicted by cancer and is recuperating from a couple of medical surgeries. He submits that nevertheless the petitioners are as anxious as the respondents in seeing an expeditious conclusion of both the cases, one filed by the respondents and the other counter-case, filed by the petitioners. The learned counsel for the respondents echoes the same desire.

The two cases filed by the parties are pending before the two learned Metropolitan Magistrates in West District at Tis Hazari Courts, Delhi. Since the matters pertain to the same parties, one apropos dishonour of a cheque of Rs.120 crores, as claimed by the respondents, and the other alleging forgery of documents on the basis of which cheques were presented, as argued by the petitioners, it would be in the interest of justice to club the two cases to be tried by one Court of competent jurisdiction.

In the circumstances, the case bearing CC No.4971/17 titled as ***'Satinder Singh Bhasin & Anr. vs. M/s Golden Chariot Recreation Pvt. Ltd. & Ors.'***, pending before the learned Metropolitan Magistrate, West District, Tis Hazari Courts, Delhi, is transferred to the Court of the learned Metropolitan Magistrate (West), N. I. Act, Tis Hazari District Courts, Delhi, to be tried with CC No.6275/16, titled as ***'M/s Golden Chariot Recreation Pvt. Ltd. & Anr. vs. Bewealthy Properties Pvt. Ltd. & Ors.'*** The parties shall appear before the Trial Court concerned on 09.08.2018 for further proceedings. The learned Trial Court is requested to expedite the recording of evidence and endeavour to dispose-off the cases at the earliest possible, preferably in a year from 09.08.2018. The learned counsel for the parties assure the Court that they will not seek an adjournment on any date when

the case is fixed and shall promptly assist the learned Trial Court on each date. Their assurance is taken on record.

The petition stands disposed-off in terms of the above.

NAJMI WAZIRI, J.

JULY 27, 2018

sb